



# DEVELOPMENT AGREEMENTS

## (Initial Application, Periodic Reviews and Amendments)

**Purpose:** Development agreements are available to developers of large-scale projects being constructed over a long time period and requiring a substantial extension of public facilities and services. A development agreement is a contract between the City and the developer which describes the rights and responsibilities of both parties for the duration of the agreement.

**Code Reference:** Fremont Municipal Code Title 8, Chapter 7.

I understand that my plan review may be delayed if required materials are missing from the submittal package.

\_\_\_\_\_  
Project Applicant

\_\_\_\_\_  
Date

### Submittal Requirements:

#### NOTE:

- Indicates an item which is always required.
- ☐ Indicates an item which may be required, depending on the project. The staff person who provides you this sheet will check (✓) the box if the item is required for your application.

Because development agreements are exceptional by their nature, submittal requirements will be determined on a case-by-case basis. However, each submittal should include full identification of the project to be covered by the agreement with references to officially approved documents, phasing of the development (if applicable), definitions, terms of agreement, review requirements and responsibilities assigned by the agreement. Specifically, the application should also include:

- ☐ 1. An application for a development approval, such as a planned or tentative tract map.
- 1. A completed application form including:

Part I: Project information and the current property owner(s) signature authorizing the project proposal.

Part II Reimbursement Agreement with signature of the billing party acknowledging responsibility for charges.

Part III: A list of all consultants proposed to be involved with the project, or a statement that none are proposed to be involved.

Part IV: A statement signed by the applicant indicating whether the project site is found on the Hazardous Waste and Substances Sites List pursuant to California Government Code Section 65962.5.

Part V: Development Statistics

- ☐ 2. Development agreement text as proposed by the applicant.
- ☐ 3. Environmental Impact Questionnaire.
- ☒ 4. A statement of Best Management Practices (BMP's) appropriate for the proposed development to prohibit pollutants from entering into storm water runoff. The BMP statement shall include measures for construction, long term operation, and maintenance of the project.

**Incomplete Applications:** An application is considered to be incomplete if any of the items checked on this information sheet have not been included. Processing of the application will be delayed until the submittal is considered to be complete.

**Hearing Notification:** The City will notify all property owners, as well as business and residential tenants within the appropriate radius of your project area. Most projects require a 300-foot radius, while some require 1,000-foot based on the sensitivity of the project and the level of community input anticipated or required.

As with all other costs, you will be billed for staff time to research, create and label the required postcards. If the public hearing is delayed for an extended period of time after notices for your project have been mailed, you will be charged the cost to re-mail postcards.

**Schedule Time Line:** Approximately one week after the application is filed, a letter will be sent to the applicant and the applicant's agent, if any, giving the name of your staff planner. All communications about your application should be with your staff planner.

Because each development agreement is unique, a process for the consideration and review of your development agreement will be established after you file your application. Generally, a Planning Commission hearing date must be scheduled at least 21 days after the final submittal of any materials required.

**City Council Hearing Date:** Planning Commission recommendations for approval are considered by the City Council approximately 28 days after the Planning Commission hearing.

**Appeals:** The City Council considers all applications for development agreements. Appeal of the City Council action is by judicial means.

**Fees:** The minimum deposit for an application for a development agreement, amendment or periodic review is \_\_\_\_\_ and is due at the time of submittal. The actual charge will be based on staff time required to process the application. Progress billings will be invoiced during the review of the project if charges exceed the minimum deposit. A refund will be invoiced at the completion of the project review if excess funds have been paid.

Requirements described on this sheet are subject to change. If you need additional information or clarification to prepare your submittal please contact the staff person who furnished you this sheet for further assistance.

Information sheet furnished by: \_\_\_\_\_ Phone: (510) 494-\_\_\_\_\_

for proposal: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_